

Committee Room,
Austin, Texas, March 5, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 116, A bill to be entitled
"An Act to amend Chapter 6, Title 93,
Revised Civil Statutes of Texas, 1925,
and Chapter 5, Title 14, Revised Criminal
Statutes of Texas, 1925, relating to
public weighers, by amending Articles
5680, 5681, 5688, 5689, 5691, 5694,
5695 and 5704, etc., and declaring an
emergency,"

Has carefully compared same and
find it correctly engrossed.

DeWOLFE, Vice-Chairman.

Committee Room,
Austin, Texas, March 5, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 540, A bill to be entitled
"An Act providing that any person who
may be convicted of a misdemeanor, or
petty offense, and who shall be com-
mitted to jail in default of the pay-
ment of the fine and costs may be
worked upon the public roads, or upon
the county farms of the county in which
such conviction is had, or be hired out
to any individual, company, or corpo-
ration in such county,"

Has carefully compared same and find
it correctly engrossed.

McCOMBS, Chairman.

THIRTY-EIGHTH DAY.

(Wednesday, March 6, 1929.)

The House met at 9 o'clock a. m., pur-
suant to adjournment, and was called
to order by Mr. Minor, Speaker Pro
Tem.

The roll was called, and the following
members were present:

Acker.	Bradley.
Ackerman.	Brice.
Adkins.	Brooks.
Albritton.	Carpenter.
Anderson.	Chastain.
Baker.	Coltrin.
Baldwin.	Conway.
Barnett.	Cox of Navarro.
Bateman.	Cox of Lamar.
Beck.	Cox of Limestone.
Bond.	Davis.
Bounds.	DeWolfe.

Dunlap.	Moore.
Enderby.	Mosely.
Ewing.	Mullally.
Eickenroht.	Murphy.
Finn.	Negley.
Finlay.	Olsen.
Forbes.	O'Neill.
Fuchs.	Palmer.
Gates.	Patterson.
Gerron.	Pavlica.
Gilbert.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Graves of Erath.	Prendergast.
Hardy.	Purl.
Harding.	Quinn.
Harman.	Ray.
Harper.	Reader.
Harrison.	Reid.
Heaton.	Renfro.
Hefley.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Sherrill.
Jenkins.	Shipman.
Johnson	Simmons.
of Dimmit.	Sinks.
Johnson of Smith.	Smith.
Johnson of Scurry.	Snelgrove.
Jones.	Speck.
Justiss.	Stephens.
Kayton.	Stevenson.
Keeton.	Storey.
Keller.	Strong.
Kemble.	Tarwater.
Kennedy.	Thompson.
Kenyon.	Thurmond.
Kincaid.	Tillotson.
King.	Turner.
Kinnear.	Van Zandt.
Lee.	Veatch.
Lemens.	Waddell.
Long of Houston.	Wallace.
Long of Wichita.	Walters.
Loy.	Warwick.
Mankin.	Webb.
Martin.	Westbrook.
Mauritz.	White.
Maynard.	Wiggs.
McCombs.	Williams
McDonald.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Mehl.	Woodall.
Metcalf.	Woodruff.
Minor.	Young.
Montgomery.	
	Absent—Excused.
Avis.	Nicholson.
Duvall.	Shelton.
Land.	Williams
Morse.	of Hardin.

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Shelton for today, on motion of Mr. Fuchs.

Mr. Morse for today, on motion of Mr. Kemble.

The following member was granted leave of absence on account of illness:

Mr. Nicholson for today, on motion of Mr. Quinn.

The following members were excused for March 5 and 6 on account of having been appointed on a committee to look after the welfare of Hon. W. S. Barron, Speaker, who is now sick in a hospital: Messrs. Wallace, Holder, Murphy, Westbrook and Sanders.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Rountree, Senate bill No. 582 was ordered not printed.

On motion of Mr. Wallace, Senate bill No. 190 was ordered not printed.

On motion of Mr. Coltrin, Senate bill No. 573 was ordered not printed.

RELATING TO ABSENT MEMBERS.

Mr. Petsch moved that the Speaker of the House instruct the Sergeant-at-Arms to wire all absent members who are not ill to return immediately for duty in the House.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—49.

Baldwin.	Johnson
Beck.	of Dimmit.
Bradley.	Johnson of Scurry.
Carpenter.	Keeton.
Chastain.	Kinnear.
Conway.	Lee.
Cox of Limestone.	Loy.
Davis.	Mauritz.
Ewing.	McCombs.
Eickenroht.	McKean.
Finn.	Metcalfe.
Forbes.	Montgomery.
Fuchs.	Murphy.
Giles.	Negley.
Graves	Petsch.
of Williamson.	Purl.
Harper.	Quinn.
Hubbard.	Rountree.

Sanders.
Savage.
Shaver.
Smith.
Speck.
Tarwater.
Van Zandt.
Waddell.

Wallace.
Walters.
Warwick.
Westbrook.
White.
Williams of Travis.
Young.

Nays—62.

Ackerman.
Adkins.
Albritton.
Anderson.
Barnett.
Bateman.
Bounds.
Brice.
Brooks.
Coltrin.
DeWolfe.
Enderby.
Finlay.
Gates.
Gerron.
Gilbert.
Graves of Erath.
Harding.
Harrison.
Heaton.
Hines.
Jenkins.
Justiss.
Kayton.
Keller.
Kemble.
Kennedy.
King.
Long of Houston.
Long of Wichita.
Mankin.

Martin.
Maynard.
McDonald.
McGill.
Mehl.
Mosely.
Olsen.
Palmer.
Patterson.
Pavlica.
Pool.
Pope of Jones.
Pope of Nueces.
Prendergast.
Ray.
Reader.
Renfro.
Richardson.
Rogers.
Sherrill.
Shipman.
Simmons.
Snelgrove.
Stephens.
Stevenson.
Strong.
Tillotson.
Turner.
Wiggs.
Woodall.
Woodruff.

Present—Not Voting.

Hardy.

Absent.

Acker.	Kincaid.
Baker.	Lemens.
Cox of Navarro.	Moore.
Cox of Lamar.	Mullally.
Dunlap.	O'Neill.
Harman.	Reid.
Hefley.	Sinks.
Hogg.	Storey.
Holder.	Thompson.
Hopkins.	Thurmond.
Johnson of Smith.	Veatch.
Jones.	Webb.
Kenyon.	Williams of Sabine.

Absent—Excused.

Avis.	Morse.
Bond.	Nicholson.
Duvall.	Shelton.
Hornaday.	Williams
Land.	of Hardin.

Mr. Anderson moved to reconsider the vote by which the motion was lost and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Gilbert in the chair.)

NAMING SPEAKER PRO TEM. IN ABSENCE OF SPEAKER BARRON.

Mr. Loy offered the following resolution:

Whereas, The Honorable W. S. Barron, Speaker of the House of Representatives, is seriously ill, a misfortune greatly deplored by every member of the House; and

Whereas, Probably this illness will result in the absence of our Speaker for the remainder of the Regular Session of the Forty-first Legislature; and

Whereas, The Honorable Fred Minor of Denton, a close friend and loyal supporter of the Speaker, has this day displayed unusual and exceptional talent as a presiding officer; and

Whereas, The business of the House requires the presence in the chair of one duly authorized to act as Speaker; therefore, be it

Resolved, That this House by its vote upon this resolution respectfully request the Honorable Fred Minor to serve this body as Speaker Pro Tempore, and hereby elect him to so serve.

Signed—Reader, Beck, Shaver, Baldwin, Petsch, Dunlap, Savage, Hornaday, Fuchs, Long of Wichita, Finn, Johnson of Dimmit, Waddell, Hubbard, Barnett, Baker, Richardson, Davis, Kayton, Justiss, Loy, Eickenroht, Harrison, King, Storey, Metcalfe, White, Rountree, Finlay, Lee, Harper, Young, Tarwater, Williams of Travis, Palmer, Albritton, Thurmond, Smith, Renfro, Simmons, Wallace, Hogg, Pool.

The resolution was read second time and was adopted by the following vote:

Yeas—118.

Acker.	Coltrin.
Ackerman.	Conway.
Albritton.	Cox of Lamar.
Anderson.	Cox of Limestone.
Baldwin.	Davis.
Barnett.	DeWolfe.
Bateman.	Enderby.
Beck.	Ewing.
Bounds.	Eickenroht.
Bradley.	Finn.
Brice.	Finlay.
Brooks.	Forbes.
Carpenter.	Fuchs.
Chastain.	Gates.

Gerron.	Palmer.
Giles.	Patterson.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pope of Jones.
Hardy.	Pope of Nueces.
Harding.	Prendergast.
Harper.	Purl.
Harrison.	Quinn.
Heaton.	Ray.
Hines.	Reader.
Holder.	Reid.
Hubbard.	Renfro.
Jenkins.	Richardson.
Johnson	Rogers.
of Dimmit.	Rountree.
Johnson of Smith.	Sanders.
Johnson of Scurry.	Savage.
Jones.	Shaver.
Justiss.	Sherrill.
Kayton.	Shipman.
Keeton.	Simmons.
Keller.	Sinks.
Kemble.	Smith.
Kennedy.	Snelgrove.
King.	Speck.
Kinnear.	Stephens.
Lee.	Stevenson.
Long of Houston.	Storey.
Long of Wichita.	Tarwater.
Loy.	Thompson.
Mankin.	Tillotson.
Martin.	Turner.
Mauritz.	Van Zandt.
Maynard.	Veatch.
McCombs.	Waddell.
McDonald.	Wallace.
McGill.	Walters.
McKean.	Warwick.
Mehl.	Webb.
Metcalfe.	White.
Montgomery.	Wiggs.
Mosely.	Williams of Sabine.
Murphy.	Woodall.
Negley.	Woodruff.
Olsen.	Young.

Absent.

Adkins.	Kincaid.
Baker.	Lemens.
Bond.	Moore.
Cox of Navarro.	Mullally.
Dunlap.	O'Neill.
Gilbert.	Pool.
Harman.	Strong.
Hefley.	Thurmond.
Hogg.	Westbrook.
Hopkins.	Williams
Hornaday.	of Travis.
Kenyon.	

Absent—Excused.

Avis.	Nicholson.
Duvall.	Shelton.
Land.	Williams
Morse.	of Hardin.

Mr. Kinnear moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Anderson moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

(Mr. Minor in the chair.)

RESOLUTION ORDERED PRINTED.

Mr. Van Zandt moved that Senate joint resolution No. 10, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—76.

Ackerman.	Long of Houston.
Adkins.	Martin.
Baldwin.	Mauritz.
Beck.	McCombs.
Bradley.	Metcalfe.
Chastain.	Montgomery.
Coltrin.	Moore.
Conway.	Mosely.
Cox of Navarro.	Negley.
Cox of Limestone.	O'Neill.
Dunlap.	Palmer.
Enderby.	Patterson.
Ewing.	Petsch.
Forbes.	Pool.
Gates.	Prendergast.
Gilbert.	Purl.
Graves	Quinn.
of Williamson.	Reader.
Harper.	Renfro.
Harrison.	Richardson.
Heaton.	Rountree.
Hines.	Sanders.
Hogg.	Savage.
Holder.	Shaver.
Hopkins.	Simmons.
Hornaday.	Smith.
Johnson	Speck.
of Dimmit.	Storey.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Thompson.
Jones.	Van Zandt.
Justiss.	Waddell.
Keeton.	Wallace.
Keller.	Walters.
Kemble.	Westbrook.
Kenyon.	White.

Wiggs.
Williams
of Sabine.

Williams of Travis.
Woodall.
Young.

Nays—46.

Albritton.
Anderson.
Barnett.
Bateman.
Bounds.
Brice.
Brooks.
Cox of Lamar.
DeWolfe.
Eickenroht.
Finlay.
Gerron.
Giles.
Graves of Erath.
Hardy.
Harding.
Hefley.
Jenkins.
Kayton.
Kennedy.
Kincaid.
King.
Mankin.

McDonald.
McGill.
McKean.
Olsen.
Pavlica.
Pope of Jones.
Pope of Nueces.
Ray.
Reid.
Rogers.
Sherrill.
Shipman.
Sinks.
Snelgrove.
Stephens.
Stevenson.
Strong.
Thurmond.
Tillotson.
Turner.
Veatch.
Webb.
Woodruff.

Absent.

Acker.	Lee.
Baker.	Lemens.
Bond.	Long of Wichita.
Carpenter.	Loy.
Davis.	Maynard.
Finn.	Mehl.
Fuchs.	Mullally.
Harman.	Murphy.
Hubbard.	Warwick.
Kinnear.	

Absent—Excused.

Avis.	Nicholson.
Duvall.	Shelton.
Land.	Williams
Morse.	of Hardin.

Mr. Purl moved to reconsider the vote by which the resolution was ordered printed, and to table the motion to reconsider.

The motion to table prevailed.

CONSIDERATION OF VETO OF SENATE BILL NO. 150.

Mr. Storey called up, for consideration at this time with the Governor's veto,

S. B. No. 150, A bill to be entitled "An Act to confirm and validate all patents and awards issued on lands lying across or partly across or abutting on water courses or navigable streams or the beds or abandoned beds thereof,

or parts thereof, and to relinquish, quit-claim and grant to patentees and awardees and their assignees all of such lands and minerals therein contained, across or abutting on water courses or navigable streams and also the beds or abandoned beds thereof, and minerals therein contained, where such patents or awards have been issued and outstanding for a period of five years from the date thereof and have not been cancelled or forfeited, without impairing the rights of the general public, the State, riparian owners or appropriation owners in the waters of such streams, and providing that with respect to lands sold by the State of Texas expressly reserving title to minerals in the State, such reservation shall not be affected by this act and that the patentees or awardees and their assignees shall have the same rights, title and interest in the minerals in the beds or abandoned beds of such water courses or navigable streams that they have in the uplands covered by the same patents, and declaring an emergency."

The Speaker laid the bill before the House.

Mr. Storey moved that the bill be passed notwithstanding the objections of the Governor.

Mr. Woodruff moved the previous question on the passage of Senate bill No. 150 over the Governor's veto, and the main question was ordered.

Question—Shall Senate bill No. 150 be passed notwithstanding the objections of the Governor?

The roll of the House was called, and the House passed Senate bill No. 150 over the Governor's veto by the following vote:

Yeas—112.

Acker.	Enderby.
Ackerman.	Ewing.
Adkins.	Eickenroht.
Albritton.	Finn.
Anderson.	Finlay.
Barnett.	Forbes.
Bateman.	Fuchs.
Beck.	Gates.
Bond.	Gerron.
Bounds.	Gilbert.
Brice.	Graves
Chastain.	of Williamson.
Coltrin.	Graves of Erath.
Conway.	Hardy.
Cox of Navarro.	Harding.
Cox of Lamar.	Harman.
Cox of Limestone.	Harrison.
DeWolfe.	Hefley.
Dunlap.	Hogg.

Hopkins.	Patterson.
Hornaday.	Pavlica.
Hubbard.	Pool.
Jenkins.	Pope of Jones.
Johnson	Pope of Nueces.
of Dimmit.	Prendergast.
Johnson of Smith.	Quinn.
Johnson of Scurry.	Reader.
Jones.	Reid.
Justiss.	Renfro.
Kayton.	Rogers.
Keeton.	Rountree.
Kemble.	Shaver.
Kenyon.	Sherrill.
Kincaid.	Shipman.
King.	Simmons.
Kinnear.	Sinks.
Lee.	Smith.
Lemens.	Snelgrove.
Long of Houston.	Speck.
Long of Wichita.	Stephens.
Loy.	Stevenson.
Mankin.	Storey.
Mauritz.	Strong.
Maynard.	Tarwater.
McCombs.	Thompson.
McDonald.	Thurmond.
McGill.	Tillotson.
McKean.	Turner.
Mehl.	Veatch.
Metcalfe.	Warwick.
Montgomery.	Webb.
Moore.	White.
Mosely.	Wiggs.
Mullally.	Williams
Nicholson.	of Sabine.
Olsen.	Woodruff.
O'Neill.	Young.
Palmer.	

Nays—20.

Baker.	Negley.
Baldwin.	Petsch.
Brooks.	Purl.
Davis.	Richardson.
Giles.	Van Zandt.
Harper.	Walters.
Heaton.	Westbrook.
Hines.	Williams
Holder.	of Travis.
Martin.	Woodall.
Murphy.	

Present—Not Voting.

Ray.

Absent.

Bradley.	Savage.
Keller.	Waddell.
Sanders.	

Absent—Excused.

Avis.	Wallace.
Duvall.	Williams of Hardin.
Morse.	

Paired.

Mr. Kennedy (present), who would vote "nay," with Mr. Shelton (absent), who would vote "yea."

Mr. Carpenter (present), who would vote "nay," with Mr. Land (absent), who would vote "yea."

Reasons for Votes.

I make no apology for my vote on this question, but simply state my reason. From information I have from reliable sources, these men hold titles to this land, including dry beds, which were included in their acreage as if they were not there. They have had peaceful possession for years. If the State's agents erred in issuing the original patents, the State should stand by the acts of its agents. The State should deal fairly and justly with its citizens.

ROGERS.

Mr. Speaker and Ladies and Gentlemen of the House:

The following editorial we adopt and make a part of the record, showing a part of the reasons why we are against passing Senate bill No. 150 over the Governor's veto:

Rumblings of discontent greet Governor Moody's veto of the bill assuming to validate surveys illegally made across the beds of streams declared by statutory definition to be navigable. On a basis of pure politics and political advantage, the Governor, of course, would never have vetoed the bill. He shows in his message accompanying his official disapproval that he sympathizes thoroughly with the position of West Texans who find themselves dispossessed in favor of oil lessees.

Governor Moody acts on the advice of Attorney General Pollard. The Attorney General is constituted the Governor's legal adviser. Unless there is gross incompetence on the part of the Attorney General, or unless the Governor is convinced of the error of the Attorney General's opinion, he could scarcely do other than he has done.

Governor Moody's objection is not to relief, but to the validity of this form of relief. He says it is unconstitutional. The Attorney General says it is unconstitutional. And there is strong reason to believe that these gentlemen are probably correct. Since 1837, the law on the matter has been substantially as at present:

"All streams, so far as they retain the average width of thirty feet from

the mouth up, shall be considered navigable streams within the meaning hereof, and they shall not be crossed by the lines of any survey."

That law was on the books when those lands in West Texas were surveyed. Every West Texas survey that crosses a stream the average width of which is thirty feet was surveyed in direct violation of that law. That much is clear. It is not even disputed. A repeal of the law now would not validate illegal surveys made while it existed. An attempt to cure those surveys would be ex post facto, it would seem, beyond question. And the Legislature is denied the power so to act. The Governor, under his oath and in the light of the opinion brought to his notice and concurred in by him, could not honestly do anything except veto the bill presented to him for signature.

Navigability, as such, is not an issue. It is not clear that it was intended to be such in 1837 or prior thereto. It is clear that the law of 1837 covers cases where the stream in fact is not navigable, and it is probable that the inclusion of such streams was then intended. For the rest of the article has to do with the shape of surveys abutting on such streams, the intent evidently being to permit access to these streams, by restricting the proportion of boundary of a survey along such stream.

Where a stream averages thirty feet for the whole length of it and where this width is an actual average, not only for the distance of the stream, but also for the whole year, the complaint of those who claim under an unlawful survey crossing such a stream is not of much merit. But where the average width of thirty feet is built up only by trick definitions of the Land Office or of the Attorney General's Department, and the average width, as well as the navigability, is but a legal fiction, relief appears to be a matter of sheer justice. But in the latter case the proper form for demanding it is the courts, whose duty it is to define and construe the law.

Governor Moody's policy of withholding leasing of the beds of navigable streams for the time being has much to recommend it. A thorough investigation ought to be made, showing how much land is involved and the classifications into which it falls. Then a constitutional amendment can be drafted properly covering the case. Texas wants to deal fairly with these land holders who have tried to obey the land laws. But the Legislature has not been

given full power to act for Texas in this case. The people, when they have full information, will do the right thing. But they have a right to information which not even the Legislature has as yet paused to obtain.

Respectfully submitted,
VAN ZANDT,
WOODALL,
PURL.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 6, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on Senate bill No. 476 by a vote of 29 yeas, 1 nay.

And has passed finally:

S. B. No. 208, A bill to be entitled "An Act to provide for the vocational rehabilitation and placement of physically disabled persons; to make an appropriation of \$10,000.00 for the year 1929-1930 and \$15,000.00 for the year 1930-1931 to make the law effective, and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act enacting provisions designed to compel the sending in to the seat of government and to the Secretary of State of returns in elections and primary elections; defining offenses and providing for penalties and remedies to accomplish such purpose, and declaring an emergency."

S. B. No. 354, A bill to be entitled "An Act to regulate the business in insurance on what is known as the Lloyd's Plan, amending all of Chapter 19, Title 78, Revised Statutes of Texas, and declaring an emergency."

S. B. No. 502, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes, of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, relating to the appointment and compensation of county auditors in counties containing a population of thirty-five thousand inhabitants or over, according to the preceding Federal census, or having a tax valuation of fifteen million dollars, according to the last approved tax roll, and providing for additional compensation for the county auditors in such counties where there is a joint city and county hospital,

and where a special audit for such hospital must be kept and report made to the city and county, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECALLING SENATE BILL NO. 370.

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 41, Recalling Senate bill No. 370.

Whereas, Senate bill No. 370 was received from the House with amendments, and

Whereas, The Senate concurred in House amendments by a viva voce vote, and

Whereas, It is desired to have a record vote on House amendments; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Governor be requested to return said bill to the Senate in order to obtain a record vote. Be it further

Resolved, That the President of the Senate and the Speaker of the House be directed to erase their signatures.

The resolution was read second time and was adopted.

BILL ORDERED NOT PRINTED.

On motion of Mr. Ackerman, Senate bill No. 343 was ordered not printed.

TO MEMORIALIZE CONGRESS TO EXTEND CERTAIN FEDERAL AID.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 24, Memorializing the Congress of the United States of America to extend Federal aid as relief to reclamation, drainage and levee districts by means of non-interest-bearing loans.

Whereas, The Federal government has long extended aid by means of loans to districts created to provide for irrigation, drainage and the prevention of floods, in parts of the United States; and certain legislation is now pending in Congress to extend Federal aid to existing levee, irrigation and reclamation projects in all parts of the nation; and

Whereas, There are located in the State of Texas many important reclamation projects in all parts of the nation;

mation districts which were in great part provided to meet the nation's demand for increased agricultural production during the World War; and have added greatly to the taxable values where same are located, and since the year 1920 there has prevailed a continuous and serious depression in agriculture, and these conditions have imposed heavy taxes and other burdens on the land owners to prepare said lands for cultivation; and

Whereas, These burdens have proved to be oppressive under the existing conditions and in many instances, in the absence of aid, will result in the owners losing their lands; further that if aid is not given at once great loss will result to said districts and the improvements already constructed will deteriorate; and

Whereas, The protective works existing in Texas and elsewhere serve to promote the public welfare and to conserve the public interest in the following particulars, viz.: (a) By reason of such works railways and Federal aid highways carrying interstate commerce may more economically be constructed and maintained. (b) Periodic interruption of the mails, both by rail and by highway carriers, and interruption of the carriage of interstate passengers and freight are avoided; and

Whereas, Many reclamation projects involve works, and co-ordination of operations, in more than one State; and each and all of the foregoing considerations do arise out of matters, or do affect matters, concerning which the Federal government has assumed control, or concerning which it has declared a policy of manifest interest; and

Whereas, The problems presented cannot be adequately solved by the several States; therefore, be it

Resolved by the Senate of the Forty-first Legislature of Texas, the House of Representatives concurring, That we do hereby respectfully urge the present Congress of the United States of America to enact into law provisions for adequately extending Federal aid by means of making loans to existing districts now created under the law for the purpose above stated so that the outstanding obligations of such districts may be refunded and the time for payment extended; the protective works rendered efficient and adequately maintained, and the owners of the protected lands given relief from the present oppressive burdens in building and main-

taining said improvements. This we deem to be required to avert a great public calamity of nation-wide importance. Be it further

Resolved, That certified copies of this resolution be delivered to our Senators and Representatives in the Congress of the United States.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on Conservation and Reclamation.

RELATING TO DICKINSON COLORED ORPHANAGE.

The Speaker laid before the House for consideration at this time Senate concurrent resolution No. 25, Relating to Dickinson Colored Orphanage, the resolution having heretofore been read second time.

RECESS.

Mr. Quinn moved that the House recess to 1:30 o'clock p. m. today.

Mr. Hardy moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Hardy prevailed and the House, accordingly, at 12:10 o'clock p. m. took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Mr. Minor.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 520, "An Act regulating commercial colleges, requiring commercial colleges that may hereafter be organized in Texas to comply with their contracts with the students who matriculate with them for the purpose of taking commercial courses in accounting, stenography, telegraphy, typing, and other branches generally included in the curriculum of such colleges, etc., and declaring an emergency."

H. B. No. 664, "An Act providing that in counties of not less than thirty-four thousand seven hundred and not more than thirty-five thousand inhabitants according to the 1920 Federal census, and having a tax valuation of not less than \$8,800,000 and not more

than \$8,900,000, according to the approved tax rolls of 1928, the commissioners court may appoint a county auditor, and providing that said commissioners court shall have the power of removing said auditor so appointed."

H. B. No. 627, "An Act authorizing the commissioners court of Jefferson county, Texas, to purchase not exceeding two automobiles for the use of the county tax assessor, to be used by said assessor while actually engaged in the discharge of his official duties, and providing for reports of repairs thereon and maintenance, to be made to the county auditor, and limiting the amount to be expended for the purchase of said automobiles."

H. B. No. 489, "An Act to clarify and make adequate the law regulating water control and improvement districts, and to cause the same to comport with Section 59 of Article 16 of the Constitution of Texas."

S. B. No. 297, "An Act amending Articles 4275 and 4276 of the Revised Civil Statutes of 1925, designating the securities in which the funds of life insurance companies may be invested; providing that if a domestic life insurance company reinsures the business and takes over the assets of a foreign life insurance company, the investments of such company so taken over and re-insured, if authorized, when made, by the laws of the State of its incorporation, shall be considered as valid securities of the domestic company so taking it over; providing that the provisions of this act shall not invalidate any investments heretofore made by a domestic life insurance company, if such investments were legally authorized when made; defining 'Texas securities,' and declaring an emergency."

S. B. No. 251, "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Atascosa, Bexar, Dimmit, Frio, La Salle, Maverick, Medina, Uvalde, Webb, or Zavala counties in the State of Texas for the purpose of making scientific investigation and experiment in the production of fruits, citrus fruits, nuts and vegetables and methods of combating insect pests and diseases of said product in the said section and conducting scientific experiments in poultry raising and dairying; authorizing said board of directors to acquire a suit-

able site therefor, and to accept donations of land and money for said purpose; providing that such experiment station shall be under the general supervision of said board of directors, and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for experiment station are made for said purposes, said experiment station shall not be established, and declaring an emergency."

S. B. No. 498, "An Act approving, ratifying and confirming a contract of date January 1, 1929, by and between the board of managers of the Texas State Railroad and the Texas and New Orleans Railroad, approved by the Governor of Texas, and for the maintenance and operation of the properties of said Texas State Railroad by said Texas and New Orleans Railroad Company; providing that this act shall be cumulative of Chapter 26 of the General Laws of the Regular Session of the Thirty-seventh Legislature, approved March 12, 1921, and that said contract shall, upon the same becoming effective, supersede the contract between the same parties which was confirmed and ratified by Chapter 3 of the General Laws of the Second Called Session of the Thirty-seventh Legislature, approved August 25, 1921, and declaring an emergency."

H. C. R. No. 34, Recalling House bill No. 670 from the Governor.

H. J. R. No. 7, Proposing an amendment to Section 5 of Article 4 of the Constitution of the State of Texas, fixing the salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 6, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. C. R. No. 33, Providing for sine die adjournment on Thursday, March 14, 1929.

The Senate has concurred in House amendments to Senate bill No. 341 by a vote of 24 yeas, 3 nays.

The Senate has concurred in House

amendment to Senate bill No. 414 by a vote of 30 yeas, 0 nays.

Has passed:

H. C. R. No. 2, Approving the proposal of the Legislature of Florida to have the several Southern States to take co-operative action in support of the Southland Memorial Association.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO DICKINSON
COLORED ORPHANAGE.

The House resumed consideration of pending business, same being Senate concurrent resolution No. 25, Relating to Dickinson Colored Orphanage, the resolution having heretofore been read second time.

Mr. Wallace offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 25 by adding at end of resolution: Be it further resolved, That the President of the Senate is hereby authorized to appoint two members of the Senate and the Speaker of the House be authorized to appoint three members of the House, as a committee to investigate the advisability of accepting this property and to report to the First Called Session of the Forty-first Legislature and their expenses be paid out of the contingent expense fund of the House and Senate and further this property be not accepted until after the committee reports advising same.

The amendment was adopted.

The resolution as amended was then adopted.

SENATE BILL NO. 364 ON SECOND
READING.

On motion of Mr. Rountree, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 364, A bill to be entitled "An Act amending Article 6562, Chapter 1, Title 113, of the Revised Statutes of the State of Texas of 1925, increasing the pay of officers and men of the State ranger force."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

SENATE BILL NO. 364 ON THIRD
READING.

Mr. Rountree moved that the constitutional rule requiring bills to be read

on three several days be suspended and that Senate bill No. 364 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—89.

Acker.	Montgomery.
Ackerman.	Moore.
Adkins.	Mosely.
Anderson.	Murphy.
Baker.	Nicholson.
Baldwin.	Olsen.
Barnett.	O'Neill.
Bateman.	Palmer.
Beck.	Pavlica.
Bounds.	Petsch.
Brooks.	Pope of Jones.
Carpenter.	Prendergast.
Conway.	Purl.
Cox of Limestone.	Quinn.
Davis.	Reader.
Dunlap.	Reid.
Duvall.	Richardson.
Enderby.	Rogers.
Ewing.	Rountree.
Forbes.	Sanders.
Fuchs.	Savage.
Gilbert.	Shaver.
Giles.	Sherrill.
Hardy.	Shipman.
Harding.	Simmons.
Harman.	Sinks.
Harper.	Smith.
Harrison.	Speck.
Hefley.	Strong.
Hines.	Thompson.
Hubbard.	Thurmond.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Jones.	Wallace.
Justiss.	Walters.
Kayton.	Warwick.
Kenyon.	Webb.
Lee.	Westbrook.
Long of Houston.	White.
Mankin.	Williams
Maynard.	of Sabine.
McDonald.	Williams
McGill.	of Travis.
McKean.	Young.
Mehl.	

Nays—22.

Albritton.	King.
Bond.	Loy.
Brice.	Negley.
Cox of Lamar.	Pool.
DeWolfe.	Pope of Nueces.
Eickenroht.	Ray.
Graves of Erath.	Renfro.
Heaton.	Snelgrove.
Keeton.	Stephens.
Kennedy.	Veatch.
Kincaid.	Waddell.

Absent.

Bradley.	Land.
Chastain.	Lemens.
Coltrin.	Long of Wichita.
Cox of Navarro.	Martin.
Finn.	Mauritz.
Finlay.	McCombs.
Gates.	Metcalf.
Hogg.	Mullally.
Holder.	Patterson.
Hopkins.	Storey.
Jenkins.	Tarwater.
Johnson of Scurry.	Wiggs.
Keller.	Woodall.
Kemble.	Woodruff.
Kinnear.	

Absent—Excused.

Avis.	Morse.
Gerron.	Shelton.
Graves	Stevenson.
of Williamson.	Williams
Hornaday.	of Hardin.

The Speaker then laid Senate bill No 364 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—90.

Acker.	Justiss.
Adkins.	Kayton.
Anderson.	Keller.
Baldwin.	Kemble.
Barnett.	Kenyon.
Bateman.	Lee.
Bounds.	Long of Houston.
Brooks.	Loy.
Carpenter.	Mankin.
Chastain.	Mauritz.
Cox of Navarro.	McDonald.
Cox of Limestone.	McGill.
Davis.	McKean.
DeWolfe.	Mehl.
Dunlap.	Montgomery.
Enderby.	Moore.
Ewing.	Murphy.
Eickenroht.	Nicholson.
Finn.	Olsen.
Forbes.	O'Neill.
Gilbert.	Palmer.
Giles.	Pavlica.
Graves	Petsch.
of Williamson.	Pope of Jones.
Hardy.	Prendergast.
Harding.	Purl.
Harman.	Quinn.
Harper.	Reader.
Harrison.	Reid.
Hefley.	Richardson.
Hines.	Rogers.
Johnson	Rountree.
of Dimmit.	Sanders.
Johnson of Smith.	Savage.
Jones.	Shaver.

Sherrill.	Wallace.
Shipman.	Walters.
Simmons.	Warwick.
Sinks.	Webb.
Smith.	Westbrook.
Speck.	White.
Strong.	Williams
Thompson.	of Sabine.
Thurmond.	Williams
Turner.	of Travis.
Van Zandt.	Young.
Waddell.	

Nays—18.

Albritton.	Maynard.
Bond.	Mosely.
Brice.	Negley.
Cox of Lamar.	Pool.
Fuchs.	Pope of Nueces.
Heaton.	Ray.
Kennedy.	Renfro.
Kincaid.	Snelgrove.
King.	Veatch.

Present—Not Voting.

Keeton.

Absent.

Ackerman.	Kinnear.
Baker.	Land.
Beck.	Lemens.
Bradley.	Long of Wichita.
Coltrin.	Martin.
Conway.	McCombs.
Duvall.	Metcalf.
Finlay.	Mullally.
Gates.	Patterson.
Graves of Erath.	Stephens.
Hogg.	Storey.
Holder.	Tarwater.
Hopkins.	Tillotson.
Hubbard.	Wiggs.
Jenkins.	Woodall.
Johnson of Scurry.	Woodruff.

Absent—Excused.

Avis.	Shelton.
Gerron.	Stevenson.
Hornaday.	Williams
Morse.	of Hardin.

HOUSE BILL NO. 567 WITH SENATE AMENDMENTS.

Mr. Young called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 567, A bill to be entitled "An Act providing for the centralization of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Young moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

RELATING TO NATIONAL LEGISLATION IN REGARD TO AGRICULTURE.

Mr. Bateman offered the following resolution:

H. C. R. No. 33, Relating to National legislation in regard to agricultural industry.

Whereas, President Herbert Hoover personally pledged himself as a candidate, that if elected he would recommend national legislation looking to an equalization of agriculture with business and industry, and

Whereas, There is a crying need for such legislation as will relieve our farmers of the helpless inequality which our commercialized life has created, and

Whereas, A special session of Congress is to be called soon, therefore be it

Resolved, That the House of Representatives, the Senate concurring, hereby urge our President and National Congress to take steps as soon as possible to give such relief to our producers as is within the proper province of our Federal government, and be it further

Resolved, That the Senate, the House of Representatives concurring, proceed to elect one delegate each, which delegates, in conjunction with the Governor and two representative citizens to be named by him, shall constitute a delegation to attend and appear before the committees of Congress in the furtherance of all legislation beneficial to the agricultural industry of America proposed by President Hoover and particularly to use their efforts toward so changing the present marketing system that no longer shall the agricultural producer be forced to accept world price for that portion of their crop consumed here in tariff protected America. Be it further

Resolved, That only such citizens shall be selected as delegates who will serve without pay other than actual traveling, hotel and other direct expenses, the sum of \$2500, or so much as necessary, which the State Treasurer is hereby authorized to pay on the presentation of itemized accounts approved by the Governor, and countersigned by the State Comptroller.

Signed—Bateman, Giles, Storey, Hubbard, Quinn, Renfro, Gerron, Olsen, McDonald, Stevenson, Montgomery, Rogers, Baker, Pavlica, Cox of Limestone, Richardson, Enderby, Van Zandt, Shipman.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on Agriculture.

AUTHORIZING THE ADOPTION OF CERTAIN REFERENCE BOOK.

Mr. Quinn offered the following resolution:

H. C. R. No. 35, Relating to subscribing to certain reference book.

Whereas, It has been made known to this Legislature that Colonel Andrew Jackson Houston has completed a history of "The Texan Revolution," compiled from the official papers of Major General Sam Houston, commander-in-chief of the Texan army; and be it

Resolved, by the House of Representatives, the Senate concurring, That the Superintendent of Public Instruction be, and he is hereby, authorized to subscribe for one or more copies of "The Texan Revolution," as written by Colonel Andrew Jackson Houston, for each high school library in Texas; Provided, the Superintendent of Public Instruction, after an examination of the manuscript, maps and illustrations, shall decide that the work will be useful as a reference book in the libraries.

Signed—Quinn, Smith, Reader, Mehl, Olsen, Long of Houston, Harding, Land, Harper, Harman, Kinnear, Savage, Bounds, Webb, Carpenter, Renfro, Ackerman, Graves of Erath, Williams of Sabine, Ewing, Coltrin, Shelton.

The resolution was read second time.

On motion of Mr. Snelgrove, the resolution was referred to the Committee on Education.

BILL ORDERED NOT PRINTED.

On motion of Mr. Pope of Nueces, Senate bill No. 597 was ordered not printed.

RELATING TO INSPECTING RUSK JUNIOR COLLEGE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 37, Relating to inspecting Rusk Junior College.

Whereas, A survey of Texas jails discloses an appalling and almost unbelievable condition touching the insane and feeble-minded of the State; and

Whereas, County and city jails are not constructed to incarcerate the unfortunate insane; and

Whereas, The unfortunate insane should be placed in institutions specially equipped for their care and treatment; and

Whereas, The great State of Texas owes it to these unfortunates to take them out of jails; and

Whereas, The State does not have the time to erect the necessary buildings to relieve the congestion in our jails; and

Whereas, The State has the opportunity to acquire property already constructed to relieve this condition and to acquire same at a real bargain; now therefore, be it

Resolved by the Senate, the House of Representatives concurring, That three members of the Senate and four members of the House of Representatives be appointed by the presiding officer of the respective bodies to inspect the property of Rusk Junior College at Rusk, Texas, with a view to acquiring same to relieve the congestion of the insane in Texas jails. Be it further

Resolved, That said committee shall make its inspection between Regular and First Called Sessions of the Forty-first Legislature. Be it further

Resolved, That said committee shall make said inspection without cost or expense to the State; be it further

Resolved, That said committee shall make a report of its findings on the character and conditions of said property and price at which said property can be acquired. Be it further

Resolved, That the action of said committee shall in nowise have the effect of binding the Legislature, now or in the future.

The resolution was read second time.

On motion of Mr. Petsch, the resolution was referred to the Committee on Appropriations.

INVITATION FROM DAUGHTERS OF CONFEDERACY.

The Speaker laid before the House and had read the following communication:

The Albert Sidney Johnston Chapter, Daughters of Confederacy, are entertaining with "Open House" at the Texas Confederate Museum, Friday, March 8, 4:30 to 6:30, in honor of the members

of the Texas Legislature and their wives.

We feel sure the Museum and our relics will be of great interest to all, and it will be our great pleasure to have you call.

Respectfully,

MRS. J. E. HOWZE,

President.

MRS. FORREST H. FARLEY,

MRS. DAVE DOOM,

Committee on Invitation.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 6, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 567, A bill to be entitled "An Act providing for the centralization of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board," with amendments.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

SENATE JOINT RESOLUTION NO. 3 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. J. R. No. 3, Proposing to amend Section 5 of Article 4 of the Constitution of the State, so as to provide that the Governor shall receive as compensation for his services an annual salary of twelve thousand (\$12,000) dollars, and no more, and providing for an election upon such proposed amendment and making an appropriation therefor.

The resolution was read second time.

On motion of Mr. Petsch, the resolution was laid on the table subject to call.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. and the call was not seconded.

Mr. Forbes moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave

the Hall without written permission from the Speaker.

On motion of Mr. Forbes, the Sergeant-at-Arms was instructed to bring in all absent members who are not ill.

CONFERENCE COMMITTEE APPOINTED.

The Speaker announced the appointment of the following conference committee on House bill No. 567: Messrs. Young, Turner, King, Graves of Williamson and Johnson of Dimmit.

PROVIDING FOR ADJOURNMENT SINE DIE.

Mr. Purl called up for consideration at this time the following resolution: S. C. R. No. 33, Providing for adjournment sine die.

Whereas, There are now pending in the Senate and House of Representatives many important bills that have not yet been considered by either branch of the Legislature; and

Whereas, Many of these measures have been at great length heard by committees considering the same and the persons and interests affected have gone to much trouble and expense and given much time to these hearings; and

Whereas, For the Legislature to adjourn at the termination of a sixty-day session will mean that all this time and labor and expense has been wasted; therefore, be it

Resolved by the Senate, the House of Representatives concurring. That the Legislature owes it to the people of Texas to remain in session a few days in excess of sixty days and give consideration to said legislation; and to that end it is here resolved that the Regular Session of the Forty-first Legislature of the State of Texas shall stand adjourned sine die at 12 o'clock noon Thursday, March 14, 1929.

The resolution was read second time.

Mr. Tillotson moved that the resolution be set as a special order for 10 o'clock a. m. tomorrow.

On motion of Mr. Woodruff, the motion was tabled.

Mr. Graves of Erath offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 33, To adjourn Saturday, March 9, 1929, 6 p. m.

Mr. Montgomery moved that the resolution be laid on the table subject to call.

Yeas and nays were demanded and

the motion was lost by the following vote:

Yeas—25.

Baldwin.	Lemens.
Beck.	McCombs.
Carpenter.	McKean.
Cox of Limestone.	Metcalfe.
Duvall.	Montgomery.
Eickenroht.	Negley.
Graves	Petsch.
of Williamson.	Pool.
Hogg.	Thompson.
Hopkins.	Tillotson.
Hornaday.	Van Zandt.
Hubbard.	Warwick.
Keller.	Webb.

Nays—94.

Ackerman.	Mankin.
Adkins.	Martin.
Albritton.	Mauritz.
Anderson.	McDonald.
Baker.	McGill.
Barnett.	Mehl.
Bateman.	Moore.
Bond.	Mosely.
Bounds.	Mullally.
Bradley.	Murphy.
Brice.	Nicholson.
Chastain.	Olsen.
Coltrin.	O'Neill.
Conway.	Palmer.
Cox of Lamar.	Patterson.
Davis.	Pavlica.
DeWolfe.	Pope of Jones.
Dunlap.	Prendergast.
Enderby.	Purl.
Ewing.	Quinn.
Finn.	Reader.
Finlay.	Reid.
Forbes.	Richardson.
Fuchs.	Rogers.
Gerron.	Rountree.
Giles.	Sanders.
Graves of Erath.	Savage.
Harding.	Shaver.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Shipman.
Hines.	Smith.
Holder.	Snelgrove.
Jenkins.	Stephens.
Johnson	Stevenson.
of Dimmit.	Storey.
Johnson of Smith.	Strong.
Jones.	Tarwater.
Justiss.	Thurmond.
Keeton.	Turner.
Kemble.	Waddell.
Kennedy.	Wallace.
Kenyon.	Walters.
Kincaid.	Westbrook.
King.	Williams of Sabine.
Lee.	Williams of Travis.
Long of Houston.	Woodruff.
Loy.	Young.

Absent.

Brooks.	Maynard.
Cox of Navarro.	Pope of Nueces.
Gates.	Ray.
Gilbert.	Renfro.
Hardy.	Simmons.
Harman.	Sinks.
Hefley.	Speck.
Johnson of Scurry.	Veatch.
Kayton.	White.
Kinnear.	Wiggs.
Land.	Woodall.
Long of Wichita.	

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

Mrs. Negley offered the following substitute for the amendment by Mr. Graves of Erath:

Amend Senate concurrent resolution No. 33 by striking out the date "Thursday, March 14, 1929," and insert in lieu thereof the following words: "Saturday, March 16, 1929."

Signed—Negley, Johnson of Dimmit.

Mr. DeWolfe moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—77.

Adkins.	Holder.
Albritton.	Johnson of Smith.
Anderson.	Jones.
Baker.	Justiss.
Bateman.	Kayton.
Bond.	Keeton.
Bounds.	Kennedy.
Bradley.	Kenyon.
Brice.	Kincaid.
Chastain.	King.
Coltrin.	Kinnear.
Conway.	Lee.
Cox of Lamar.	Lemens.
Cox of Limestone.	Long of Houston.
Davis.	Loy.
DeWolfe.	Mankin.
Ewing.	Martin.
Eickenroht.	McCombs.
Finlay.	Moore.
Forbes.	Mosely.
Fuchs.	Mullally.
Gilbert.	Nicholson.
Graves of Erath.	O'Neill.
Harding.	Patterson.
Harper.	Pavlica.
Harrison.	Pope of Jones.
Heaton.	Pope of Nueces.
Hefley.	Prendergast.
Hines.	Purl.

Reader.
Reid.
Rogers.
Rountree.
Savage.
Shelton.
Sherrill.
Shipman.
Simmons.
Smith.
Snelgrove.

Stephens.
Stevenson.
Strong.
Tarwater.
Thurmond.
Tillotson.
Veatch.
Waddell.
Williams
of Sabine.

Nays—45.

Ackerman.
Baldwin.
Barnett.
Beck.
Carpenter.
Cox of Navarro.
Duvall.
Enderby.
Finn.
Gerron.
Giles.
Harman.
Hogg.
Hopkins.
Hornaday.
Jenkins.
Johnson
of Dimmit.
Keller.
Mauritz.
McGill.
McKean.
Mehl.

Metcalfe.
Montgomery.
Murphy.
Negley.
Palmer.
Petsch.
Pool.
Quinn.
Renfro.
Richardson.
Sanders.
Shaver.
Thompson.
Van Zandt.
Wallace.
Walters.
Warwick.
Webb.
Westbrook.
White.
Williams
of Travis.
Young.

Absent.

Brooks.	Maynard.
Dunlap.	McDonald.
Gates.	Olsen.
Graves	Ray.
of Williamson.	Sinks.
Hardy.	Speck.
Hubbard.	Storey.
Johnson of Scurry.	Turner.
Kemble.	Wiggs.
Land.	Woodall.
Long of Wichita.	Woodruff.

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

Mr. Johnson of Dimmit moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—75.

Adkins.	Beck.
Baldwin.	Bounds.
Barnett.	Carpenter.

Chastain.	McKean.
Coltrin.	Mehl.
Conway.	Metcalf.
Cox of Navarro.	Montgomery.
Cox of Limestone.	Moore.
Duvall.	Murphy.
Enderby.	Negley.
Ewing.	Nicholson.
Eickenroht.	O'Neill.
Finn.	Patterson.
Forbes.	Petsch.
Gerron.	Pool.
Gilbert.	Pope of Nueces.
Giles.	Purl.
Graves	Quinn.
of Williamson.	Ray.
Harman.	Reader.
Harper.	Sanders.
Hefley.	Savage.
Hines.	Shaver.
Hogg.	Strong.
Hopkins.	Thompson.
Hornaday.	Thurmond.
Hubbard.	Turner.
Jenkins.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Kenyon.	Walters.
Kinnear.	Warwick.
Lee.	Webb.
Lemens.	Westbrook.
Long of Houston.	Williams of Sabine.
Loy.	Williams of Travis.
Mauritz.	Woodruff.
McCombs.	Young.
McGill.	

Nays—52.

Ackerman.	Martin.
Albritton.	McDonald.
Anderson.	Mosely.
Baker.	Mullally.
Bateman.	Palmer.
Bond.	Pavlica.
Bradley.	Pope of Jones.
Brice.	Prendergast.
Cox of Lamar.	Reid.
Davis.	Richardson.
DeWolfe.	Rountree.
Finlay.	Shelton.
Fuchs.	Sherrill.
Graves of Erath.	Shipman.
Harding.	Simmons.
Harrison.	Sinks.
Heaton.	Smith.
Johnson of Smith.	Snelgrove.
Jones.	Stephens.
Justiss.	Stevenson.
Kayton.	Storey.
Keeton.	Tarwater.
Kennedy.	Tillotson.
Kincaid.	Veatch.
King.	White.
Mankin.	

Absent.

Brooks. Dunlap.

Gates.	Maynard.
Hardy.	Olsen.
Holder.	Renfro.
Johnson of Scurry.	Rogers.
Keller.	Speck.
Kemble.	Wiggs.
Land.	Woodall.
Long of Wichita.	

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

Mr. Purl moved to reconsider the vote by which the amendment was tabled, and to table the motion to reconsider. The motion to table prevailed.

Mr. Bond offered the following amendment to the resolution:

Amend Senate sine die resolution by changing the date from "March 14, 1929," to "March 8, 1929. at high noon."

Mr. Johnson of Dimmit moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—79.

Adkins.	Justiss.
Baldwin.	Keeton.
Barnett.	Keller.
Beck.	Kenyon.
Bounds.	Kinnear.
Bradley.	Lee.
Carpenter.	Lemens.
Chastain.	Loy.
Coltrin.	Mauritz.
Conway.	McCombs.
Cox of Navarro.	McDonald.
Cox of Limestone.	McGill.
Dunlap.	McKean.
Duvall.	Mehl.
Enderby.	Metcalf.
Eickenroht.	Montgomery.
Finn.	Moore.
Forbes.	Mullally.
Fuchs.	Murphy.
Gerron.	Nicholson.
Gilbert.	O'Neill.
Giles.	Patterson.
Graves	Petsch.
of Williamson.	Pool.
Harman.	Purl.
Harper.	Quinn.
Hefley.	Ray.
Hogg.	Reader.
Hopkins.	Rogers.
Hornaday.	Sanders.
Hubbard.	Savage.
Jenkins.	Shaver.
Johnson	Smith.
of Dimmit.	Strong.

Tarwater.	Webb.
Thompson.	Westbrook.
Thurmond.	White.
Turner.	Williams
Van Zandt.	of Sabine.
Waddell.	Williams
Wallace.	of Travis.
Walters.	Woodruff.
Warwick.	Young.

Nays—41.

Albritton.	Martin.
Anderson.	Mosely.
Baker.	Palmer.
Bateman.	Pavlica.
Bond.	Pope of Jones.
Cox of Lamar.	Prendergast.
Davis.	Reid.
DeWolfe.	Renfro.
Finlay.	Richardson.
Harding.	Rountree.
Harrison.	Shelton.
Heaton.	Sherrill.
Hines.	Shipman.
Johnson of Smith.	Simmons.
Jones.	Sinks.
Kayton.	Snelgrove.
Kennedy.	Stephens.
Kincaid.	Stevenson.
King.	Storey.
Long of Houston.	Veatch.
Mankin.	

Absent.

Ackerman.	Land.
Brice.	Long of Wichita.
Brooks.	Maynard.
Ewing.	Negley.
Gates.	Olsen.
Graves of Erath.	Pope of Nueces.
Hardy.	Speck.
Holder.	Tillotson.
Johnson of Scurry.	Wiggs.
Kemble.	Woodall.

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

Mr. McCombs moved the previous question on the resolution, and the main question was ordered.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—88.

Adkins.	Chastain.
Baldwin.	Coltrin.
Barnett.	Conway.
Bounds.	Cox of Navarro.
Brice.	Cox of Limestone.
Carpenter.	Dunlap.

Duvall.	Mullally.
Enderby.	Murphy.
Ewing.	Negley.
Eickenroht.	Nicholson.
Finn.	Olsen.
Forbes.	O'Neill.
Gerron.	Palmer.
Gilbert.	Patterson.
Giles.	Petsch.
Graves	Pool.
of Williamson.	Pope of Nueces.
Harman.	Purl.
Harper.	Quinn.
Hefley.	Ray.
Hines.	Reader.
Hogg.	Rogers.
Hopkins.	Sanders.
Hornaday.	Savage.
Hubbard.	Shaver.
Jenkins.	Shelton.
Johnson	Smith.
of Dimmit.	Speck.
Johnson of Smith.	Strong.
Justiss.	Tarwater.
Kayton.	Thompson.
Keeton.	Thurmond.
Kennedy.	Tillotson.
Kenyon.	Turner.
Kincaid.	Veatch.
Kinnear.	Waddell.
Lee.	Wallace.
Lemens.	Walters.
Loy.	Warwick.
Mankin.	Webb.
Martin.	Westbrook.
Mauritz.	White.
McCombs.	Williams
McDonald.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Mehl.	Woodruff.
Metcalf.	Young.
Moore.	

Nays—37.

Ackerman.	Long of Houston.
Albritton.	Montgomery.
Anderson.	Mosely.
Baker.	Pavlica.
Bateman.	Pope of Jones.
Beck.	Prendergast.
Bond.	Reid.
Cox of Lamar.	Renfro.
Davis.	Richardson.
DeWolfe.	Rountree.
Finlay.	Sherrill.
Fuchs.	Shipman.
Graves of Erath.	Simmons.
Harding.	Sinks.
Harrison.	Snelgrove.
Heaton.	Stephens.
Holder.	Stevenson.
Jones.	Storey.
King.	Van Zandt.

Absent.

Bradley.	Brooks.
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Gates.	Land.
Hardy.	Long of Wichita.
Johnson of Scurry.	Maynard.
Keller.	Wiggs.
Kemble.	Woodall.

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

Mr. Purl moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Gilbert in the chair.)

SENATE JOINT RESOLUTION NO. 7 ON SECOND READING.

The Speaker laid before the House, on its second reading,

S. J. R. No. 7, Proposing an amendment to the State Constitution providing that the permanent University fund shall be invested in bonds of the United States, the State of Texas or counties of said State, or in school bonds of municipalities, or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1926, and amendments thereto.

The resolution was read second time.

Mr. Harrison offered the following amendment to the resolution:

Amend Senate joint resolution No. 7 by striking out the phrase, beginning with the word "on," line 34, page 2, and ending with the word "at," line 35, page 2, and reading as follows, "the second Tuesday in November, 1930" and insert in lieu thereof the following, "the first Tuesday after the first Monday in November, 1930."

The amendment was adopted.

Senate joint resolution No. 7 was then passed by the following vote:

Yeas—101.

Ackerman.	Cox of Limestone.
Adkins.	DeWolfe.
Anderson.	Dunlap.
Baker.	Duvall.
Baldwin.	Enderby.
Barnett.	Ewing.
Bond.	Finn.
Bounds.	Forbes.
Carpenter.	Fuchs.
Coltrin.	Gerron.
Cox of Lamar.	Gilbert.

Giles.
Graves
of Williamson.
Graves of Erath.
Harding.
Harper.
Harrison.
Heaton.
Hefley.
Hines.
Hogg.
Holder.
Hopkins.
Hornaday.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Justiss.
Kayton.
Keller.
Kennedy.
Kenyon.
Kincaid.
King.
Lee.
Lemens.
Long of Houston.
Loy.
Mankin.
Martin.
McCombs.
McDonald.
McGill.
McKean.
Mehl.
Metcalfe.
Montgomery.
Moore.
Mosely.
Mullally.
Murphy.

Negley.
Nicholson.
Olsen.
O'Neill.
Palmer.
Pavlica.
Pool.
Pope of Jones.
Pope of Nueces.
Prendergast.
Purl.
Quinn.
Ray.
Reader.
Reid.
Renfro.
Richardson.
Rogers.
Rountree.
Sanders.
Shelton.
Shipman.
Simmons.
Sinks.
Smith.
Speck.
Stephens.
Storey.
Strong.
Tarwater.
Thompson.
Tillotson.
Turner.
Veatch.
Waddell.
Walters.
Warwick.
Webb.
Westbrook.
White.
Williams of Sabine.
Woodruff.

Nays—1.

Finlay.

Absent.

Albritton.	Kinnear.
Bateman.	Land.
Beck.	Long of Wichita.
Bradley.	Mauritz.
Brice.	Maynard.
Brooks.	Patterson.
Chastain.	Petsch.
Conway.	Savage.
Cox of Navarro.	Shaver.
Davis.	Sherrill.
Eickenroht.	Snelgrove.
Gates.	Thurmond.
Hardy.	Van Zandt.
Harman.	Wiggs.
Hubbard.	Williams
Johnson of Scurry.	of Travis.
Jones.	Woodall.
Keeton.	Young.
Kemble.	

Absent—Excused.

Acker.
Avis.
Morse.
Stevenson.

Wallace.
Williams
of Hardin.

HOUSE BILL NO. 716 WITH SENATE AMENDMENTS.

Mr. Keller called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 716, A bill to be entitled "An Act regulating the salary of the sheriff or deputy sheriff waiting upon certain courts in counties of 210,000 or more population, according to the last Federal census; repealing conflicting laws."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Keller, the House concurred in the Senate amendments.

NOTICE GIVEN.

Mr. McCombs gave notice that he would on tomorrow call up for consideration at that time Senate joint resolution No. 3, which resolution was today laid on the table subject to call.

SENATE JOINT RESOLUTION NO. 9 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 9, Proposing an amendment to the Constitution fixing the compensation of the Governor.

The resolution was read second time.

Mr. Barnett offered the following amendment to the resolution:

Amend Senate joint resolution No. 9, by striking out \$12,000 (twelve thousand dollars) wherever it appears in the resolution and substituting therefor and in lieu thereof \$10,000 (ten thousand dollars).

The amendment was adopted.

Senate joint resolution No. 9 then failed to pass to third reading by the following vote:

Yeas—49.

Barnett.
Brice.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Navarro.

DeWolfe.
Dunlap.
Duvall.
Ewing.
Gates.
Gilbert.
Harrison.

Hefley.
Hogg.
Holder.
Hornaday.
Johnson
of Dimmit.
Kayton.
Keller.
Lemens.
Long of Houston.
McGill.
Mehl.
Metcalf.
Montgomery.
Mullally.
Negley.
Olsen.
Palmer.
Patterson.

Reader.
Rountree.
Sanders.
Savage.
Sherrill.
Smith.
Speck.
Strong.
Thompson.
Thurmond.
Tillotson.
Turner.
Waddell.
Warwick.
Westbrook.
Williams
of Sabine.
Woodruff.

Nays—63.

Ackerman.
Adkins.
Albritton.
Bounds.
Cox of Lamar.
Cox of Limestone.
Enderby.
Eickenroht.
Finlay.
Forbes.
Fuchs.
Gerron.
Giles.
Graves
of Williamson.
Graves of Erath.
Harman.
Heaton.
Hines.
Hopkins.
Jenkins.
Johnson of Smith.
Jones.
Justiss.
Keeton.
Kennedy.
Kenyon.
Kincaid.
King.
Lee.
Loy.
Mankin.

Martin.
McDonald.
McKean.
Moore.
Mosely.
Murphy.
Nicholson.
O'Neill.
Pavlica.
Pope of Jones.
Pope of Nueces.
Ray.
Reid.
Renfro.
Richardson.
Shaver.
Shelton.
Shipman.
Simmons.
Sinks.
Snelgrove.
Stephens.
Stevenson.
Storey.
Tarwater.
Veatch.
Wallace.
Walters.
White.
Williams
of Travis.
Young.

Present—Not Voting.

Purl.
Quinn.

Absent.

Acker.
Anderson.
Baker.
Baldwin.
Bateman.
Beck.
Bond.

Bradley.
Brooks.
Davis.
Finn.
Hardy.
Harding.
Harper.

Hubbard.	Petsch.
Johnson of Scurry.	Pool.
Kemble.	Prendergast.
Kinnear.	Rogers.
Land.	Van Zandt.
Long of Wichita.	Webb.
Mauritz.	Wiggs.
Maynard.	Woodall.
McCombs.	

Absent—Excused.

Avis.	Williams
Morse.	of Hardin.

Mr. Kennedy moved to reconsider the vote by which the resolution failed to pass to third reading, and to table the motion to reconsider.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 17 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 17, Relating to fees of county attorneys, etc.

The resolution was read second time.

On motion of Mr. Rountree, the resolution was laid on the table subject to call.

HOUSE BILL NO. 313 WITH SENATE AMENDMENTS.

Mr. Brice called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 313, A bill to be entitled "An Act declaring certain fur-bearing animals the property of the State of Texas, such as wild beaver, wild otter, wild fox, wild raccoon, wild badger, wild mink, wild ring-tail cat, wild pole-cat or skunk, wild opossum and wild civet cat, and protecting the same, etc.; and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Brice moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

(Mr. Minor in the chair.)

SENATE JOINT RESOLUTION NO. 24 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 24, Proposing an amendment to Article 8 of the Constitution of the State of Texas, by adding thereto Section 20, providing that all property of the American Legion from which no profits, rents or revenues are derived by said legion is exempt from all taxation in this State; providing for an election on said amendment, and making an appropriation for same.

The resolution was read second time and was passed to third reading by the following vote:

Yeas—82.

Ackerman.	McKean.
Adkins.	Mehl.
Albritton.	Metcalfe.
Anderson.	Montgomery.
Barnett.	Moore.
Bounds.	Mosely.
Bradley.	Mullally.
Carpenter.	Murphy.
Chastain.	Palmer.
Conway.	Prendergast.
Cox of Navarro.	Purl.
Cox of Lamar.	Quinn.
Cox of Limestone.	Ray.
DeWolfe.	Reader.
Enderby.	Reid.
Ewing.	Richardson.
Finn.	Rogers.
Fuchs.	Rountree.
Gates.	Sanders.
Gerron.	Savage.
Giles.	Shaver.
Graves of Erath.	Shelton.
Hines.	Sherrill.
Hogg.	Shipman.
Holder.	Simmons.
Hopkins.	Sinks.
Hornaday.	Smith.
Jenkins.	Snelgrove.
Johnson	Speck.
of Dimmit.	Storey.
Johnson of Smith.	Strong.
Jones.	Tarwater.
Justiss.	Tillotson.
Kayton.	Turner.
Keeton.	Veatch.
Kennedy.	Wallace.
Lee.	Warwick.
Lemens.	Westbrook.
Long of Houston.	White.
Mankin.	Williams
Martin.	of Sabine.
McDonald.	Woodruff.
McGill.	Young.

Nays—20.

Baker.	Graves
Bateman.	of Williamson.
Eickenroht.	Harper.
Finlay.	Harrison.
Forbes.	Heaton.

Kemble.
Kincaid.
Loy.
Negley.
Nicholson.
Pavlica.

Pope of Jones.
Thompson.
Waddell.
Walters.
Williams
of Travis.

Absent.

Baldwin.
Beck.
Bond.
Brice.
Brooks.
Coltrin.
Davis.
Dunlap.
Duvall.
Gilbert.
Hardy.
Harding.
Harman.
Hefley.
Hubbard.
Johnson of Scurry.
Keller.
Kenyon.
King.
Kinnear.

Land.
Long of Wichita.
Mauritz.
Maynard.
McCombs.
Olsen.
O'Neill.
Patterson.
Petsch.
Pool.
Pope of Nueces.
Renfro.
Stephens.
Stevenson.
Thurmond.
Van Zandt.
Webb.
Wiggs.
Woodall.

Absent—Excused.

Acker.
Avis.
Morse.

Williams
of Hardin.

HOUSE JOINT RESOLUTION NO. 15 ON THIRD READING.

The Speaker laid before the House,
on its third reading and final passage,

H. J. R. No. 15, Proposing an amendment to the Constitution of the State of Texas by providing that the Legislature shall have no power to increase or diminish the salary or compensation of any public officer to become effective during the term of office for which such officer shall have been elected or appointed.

The resolution was read third time and failed to pass by the following vote:

Yeas—98.

Adkins.
Albritton.
Barnett.
Bateman.
Beck.
Bounds.
Bradley.
Brice.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Navarro.

Cox of Limestone.
DeWolfe.
Duvall.
Enderby.
Ewing.
Finn.
Finlay.
Forbes.
Fuchs.
Gilbert.
Giles.
Graves of Erath.
Harper.

Harrison.
Heaton.
Hefley.
Hines.
Holder.
Hopkins.
Hornaday.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Jones.
Justiss.
Keeton.
Keller.
Kennedy.
Kenyon.
Kincaid.
King.
Lee.
Lemens.
Long of Houston.
Loy.
Martin.
McDonald.
McGill.
McKean.
Mehl.
Metcalf.
Montgomery.
Moore.
Mosely.
Mullally.
Murphy.
Nicholson.
Olsen.
Palmer.
Pavlica.

Petsch.
Pope of Nueces.
Prendergast.
Purl.
Quinn.
Ray.
Reader.
Reid.
Renfro.
Richardson.
Rogers.
Rountree.
Sanders.
Savage.
Shaver.
Shelton.
Sherrill.
Shipman.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Strong.
Tarwater.
Thurmond.
Turner.
Veatch.
Wallace.
Walters.
Warwick.
Westbrook.
White.
Wiggs.
Williams of Sabine.
Woodruff.
Young.

Nays—13.

Baker.
Bond.
Cox of Lamar.
Gates.
Gerron.
Graves
of Williamson.
Hogg.
Kayton.
Kemble.
Smith.
Storey.
Thompson.
Van Zandt.

Absent.

Acker.
Ackerman.
Anderson.
Baldwin.
Brooks.
Davis.
Dunlap.
Eickenroht.
Hardy.
Harding.
Harman.
Hubbard.
Johnson of Scurry.
Kinnear.
Land.
Long of Wichita.
Mankin.
Mauritz.
Maynard.
McCombs.
Negley.
O'Neill.
Patterson.
Pool.
Pope of Jones.
Stevenson.
Tillotson.
Waddell.
Webb.
Williams of Travis.
Woodall.

Absent—Excused.

Avis.
Morse.

Williams
of Hardin.

Mr. Bond moved to reconsider the vote by which the resolution failed to pass.

The motion to reconsider prevailed.

Mr. Petsch moved the previous question on the passage of the resolution and the main question was ordered.

House joint resolution No. 15 then failed to pass by the following vote:

Yeas—75.

Ackerman.	McGill.
Adkins.	McKean.
Albritton.	Metcalfe.
Baker.	Montgomery.
Barnett.	Mosely.
Bond.	Murphy.
Bounds.	Negley.
Brice.	Olsen.
Coltrin.	Pavlica.
Conway.	Pope of Jones.
Cox of Navarro.	Purl.
Cox of Limestone.	Quinn.
DeWolfe.	Ray.
Duvall.	Renfro.
Enderby.	Richardson.
Ewing.	Rogers.
Finlay.	Rountree.
Forbes.	Sanders.
Fuchs.	Savage.
Gilbert.	Shaver.
Giles.	Shipman.
Graves	Simmons.
of Williamson.	Sinks.
Graves of Erath.	Snelgrove.
Harrison.	Speck.
Heaton.	Stephens.
Hefley.	Strong.
Hines.	Tarwater.
Hopkins.	Thurmond.
Hubbard.	Turner.
Johnson	Veatch.
of Dimmit.	Wallace.
Justiss.	Walters.
Keeton.	Warwick.
Kennedy.	Westbrook.
Kincaid.	White.
King.	Williams
Lee.	of Sabine.
Loy.	Woodruff.
Mankin.	Young.
McDonald.	

Nays—25.

Beck.	Johnson of Scurry.
Cox of Lamar.	Kemble.
Gates.	Kenyon.
Gerron.	Lemens.
Harper.	Long of Houston.
Hogg.	Long of Wichita.
Jenkins.	Martin.

Mehl.	Smith.
Moore.	Van Zandt.
Petsch.	Williams
Reader.	of Travis.
Reid.	

Present—Not Voting.

Hornaday.	Mullally.
Johnson of Smith.	

Absent.

Anderson.	Land.
Baldwin.	Mauritz.
Bateman.	Maynard.
Bradley.	McCombs.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Patterson.
Davis.	Pool.
Dunlap.	Pope of Nueces.
Eickenroht.	Prendergast.
Finn.	Sherrill.
Hardy.	Stevenson.
Harding.	Storey.
Harman.	Thompson.
Holder.	Tillotson.
Jones.	Waddell.
Kayton.	Webb.
Keller.	Wiggs.
Kinnear.	Woodall.

Absent—Excused.

Acker.	Shelton.
Avis.	Williams
Morse.	of Hardin.
Nicholson.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 6, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 364, A bill to be entitled "An Act to amend Article 1313 of the Revised Civil Statutes of 1925, so as to eliminate unnecessary duplication and expense in the filing and preserving of charters of corporations."

H. B. No. 313, A bill to be entitled "An Act declaring certain fur-bearing animals the property of the State of Texas, such as wild beaver, wild otter, wild fox, wild racoon, wild badger, wild mink, wild ring-tail cat, wild pole-cat or skunk, wild opossum and wild civet cat, and protecting the same, etc. and declaring an emergency," with amendments.

H. B. No. 716, A bill to be entitled "An Act regulating the salary of the

sheriff or deputy sheriff waiting upon certain courts in counties of 210,000 or more population, according to the last Federal census, and repealing conflicting laws," with amendments.

H. B. No. 72, A bill to be entitled "An Act regulating the use of statement of facts on appeal from the county and districts courts."

H. B. No. 137, A bill to be entitled "An Act providing for the catching of sucker fish in the streams of Gin and Glade creeks in Upshur county, Texas."

H. B. No. 247, A bill to be entitled "An Act making it a felony for any sheriff, constable, deputy constable, deputy sheriff, justice of the peace, chief of police, policeman, or other peace officer, to demand, receive or collect the whole or any part of the fine or costs in any misdemeanor case until after the affidavit or information has been filed and judgment of conviction rendered in such case, and prescribing the punishment therefor," with amendments.

H. B. No. 348, A bill to be entitled "An Act to amend Article 1721 of the Revised Civil Statutes of Texas of 1925, providing for the appointment, qualification, duties and compensation of deputy clerks of the Supreme Court of Texas, and declaring an emergency."

H. B. No. 406, A bill to be entitled "An Act to amend Article 955 of the Revised Criminal Statutes of 1925, prohibiting the sale of fish taken from fresh water streams of certain named counties, and also providing means and methods of taking and possessing fish from fresh water streams in said counties by omitting name of the county of Milam from said list of counties, and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act amending Article 287 of the Penal Code of the State of Texas of 1925 as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of the State law prohibiting the operation of moving picture shows and theaters on Sunday in this State," with amendments.

H. B. No. 462, A bill to be entitled "An Act to amend Articles 5473 and 5474, Chapter III, Title 90, of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

The Senate has concurred in House amendments to Senate concurrent resolution No. 25 by a viva voce vote, and the following are appointed on the part of the Senate in accordance with its provisions: Senators Pollard and Beck.

The Senate has granted the request of the House for the appointment of a free conference committee on Senate bill No. 567, and the following are appointed on the part of the Senate:

Senators Holbrook, Hornsby, DeBerry, Stevenson and McFarlane.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 22 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 22, Proposing an amendment to the Constitution of the State of Texas by amending Section 2 of Article IV to provide that the Governor, Lieutenant Governor and Attorney General shall be elected by the qualified voters of the State at the same time and place of election for members of the Legislature; providing for an election, and making an appropriation to pay expenses.

The resolution was read second time.

Mr. Harman offered the following amendment to the resolution:

Amend House joint resolution No. 22, Section 2, in lines 18-29 and 34, by inserting between words "general" and the word "shall" the following: "Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office, Railroad Commissioners, Highway Commissioners, and Commissioner of Agriculture."

Signed—Mankin, Harman, Hornaday.

Mr. Stevenson raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Mr. McCombs raised a point of order on further consideration of the amendment at this time, on the ground that the amendment changes the purpose of the resolution.

The Speaker sustained the point of order.

Mr. Chastain offered the following amendment to the resolution:

Amend House joint resolution No. 22 by adding at the end of line 20 the following: "After the inauguration of the Governor in 1931 he shall appoint a Commissioner of Agriculture, and a Chairman of the Railroad Commission

and two additional members of the Railroad Commission, and make such appointments biennially thereafter."

Mr. Sinks moved the previous question on the amendment and the resolution, and the main question was ordered.

Question recurring on the amendment, it was lost.

House joint resolution No. 22 then failed to pass by the following vote:

Yeas—26.

Baldwin.	Mullally.
Beck.	Petsch.
Chastain.	Pool.
Coltrin.	Prendergast.
Cox of Limestone.	Shaver.
Jenkins.	Shelton.
Johnson	Speck.
of Dimmit.	Stevenson.
Johnson of Scurry.	Van Zandt.
Long of Wichita.	Waddell.
Mauritz.	Warwick.
McCombs.	Westbrook.
Metcalfe.	Young.
Montgomery.	

Nays—84.

Ackerman.	Hefley.
Adkins.	Hines.
Anderson.	Hogg.
Baker.	Holder.
Barnett.	Hopkins.
Bateman.	Johnson of Smith.
Bond.	Justiss.
Bounds.	Kayton.
Brice.	Kemble.
Brooks.	Kennedy.
Carpenter.	Kenyon.
Conway.	Kincaid.
Cox of Navarro.	King.
Davis.	Kinnear.
DeWolfe.	Lee.
Dunlap.	Lemens.
Duvall.	Long of Houston.
Enderby.	Loy.
Ewing.	Mankin.
Eickenroht.	Martin.
Finn.	Maynard.
Finlay.	McGill.
Forbes.	Mehl.
Fuchs.	Moore.
Gates.	Mosely.
Gerron.	Palmer.
Gilbert.	Patterson.
Giles.	Pavlica.
Graves	Pope of Jones.
of Williamson.	Reader.
Graves of Erath.	Reid.
Hardy.	Rogers.
Harman.	Savage.
Harper.	Shipman.
Harrison.	Simmons.
Heaton.	Sinks.

Snelgrove.	Webb.
Stephens.	White.
Storey.	Williams
Strong.	of Sabine.
Tarwater.	Williams
Turner.	of Travis.
Veatch.	Woodall.
Wallace.	Woodruff.
Walters.	

Present—Not Voting.

Quinn.

Absent.

Albritton.	O'Neill.
Bradley.	Pope of Nueces.
Cox of Lamar.	Purl.
Harding.	Ray.
Hubbard.	Renfro.
Jones.	Richardson.
Keeton.	Rountree.
Keller.	Sanders.
Land.	Sherrill.
McDonald.	Smith.
McKean.	Thompson.
Murphy.	Thurmond.
Negley.	Tillotson.
Nicholson.	Wiggs.
Olsen.	

Absent—Excused.

Acker.	Morse.
Avis.	Williams
Hornaday.	of Hardin.

Mr. Duvall moved to reconsider the vote by which the resolution failed to pass, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 436 WITH SENATE AMENDMENTS.

Mr. Hefley called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 436. A bill to be entitled "An Act amending Article 287 of the Penal Code of the State of Texas of 1925, as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of the State law prohibiting the operation of moving picture shows and theatres on Sunday in this State."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Hefley, the House concurred in the Senate amendments.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before

the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 502, to the Committee on State Affairs.

Senate bill No. 208, to the Committee on Appropriations.

Senate bill No. 354, to the Committee on Insurance.

Senate bill No. 209, to the Committee on Privileges, Suffrage and Elections.

ADJOURNMENT.

Mr. Holder moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Long of Houston moved that the House recess to 8:30 o'clock p. m. today.

Mr. Montgomery moved that the House recess to 8 o'clock p. m. today.

Question first recurring on the motion of Mr. Holder, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—63.

Adkins.	Kincaid.
Barnett.	Lee.
Beck.	Long of Wichita.
Bradley.	Loy.
Brooks.	Maynard.
Carpenter.	McCombs.
Chastain.	Mehl.
Coltrin.	Mosely.
Conway.	Pavlica.
Cox of Limestone.	Pope of Jones.
DeWolfe.	Prendergast.
Enderby.	Purl.
Ewing.	Reid.
Eickenroht.	Renfro.
Finn.	Rogers.
Finlay.	Savage.
Gilbert.	Shaver.
Graves	Shelton.
of Williamson.	Shipman.
Hardy.	Simmons.
Harman.	Smith.
Harrison.	Snelgrove.
Hines.	Stephens.
Holder.	Tarwater.
Jenkins.	Veatch.
Johnson	Waddell.
of Dimmit.	Walters.
Johnson of Smith.	Westbrook.
Johnson of Scurry.	Williams
Jones.	of Sabine.
Justiss.	Woodruff.
Kemble.	Young.
Kennedy.	

Nays—53.

Anderson.	Bounds.
Baker.	Cox of Navarro.
Bateman.	Dunlap.

Duvall.	Negley.
Forbes.	Nicholson.
Fuchs.	Palmer.
Gates.	Patterson.
Gerron.	Petsch.
Giles.	Pool.
Graves of Erath.	Pope of Nueces.
Harper.	Quinn.
Heaton.	Ray.
Hefley.	Reader.
Hogg.	Sinks.
Hopkins.	Speck.
Kayton.	Stevenson.
King.	Storey.
Long of Houston.	Strong.
Mankin.	Turner.
Martin.	Van Zandt.
Mauritz.	Wallace.
McDonald.	Warwick.
McGill.	Webb.
Metcalfe.	White.
Montgomery.	Williams
Moore.	of Travis.
Mullally.	Woodall.

Absent.

Ackerman.	Land.
Albritton.	Lemens.
Baldwin.	McKean.
Bond.	Murphy.
Brice.	Olsen.
Cox of Lamar.	O'Neill.
Davis.	Richardson.
Harding.	Rountree.
Hornaday.	Sanders.
Hubbard.	Sherrill.
Keeton.	Thompson.
Keller.	Thurmond.
Kenyon.	Tillotson.
Kinnear.	Wiggs.

Absent—Excused.

Acker.	Williams
Avis.	of Hardin.
Morse.	

The House accordingly, at 6:20 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Highways and Motor Traffic: Senate bill No. 582.

State Affairs: House bill No. 752; Senate bills Nos. 383, 497, 254 and 313.

Judiciary: House bills Nos. 244 and 463.

Eleemosynary Institutions: Senate concurrent resolution No. 25.

Education: Senate bill No. 573.
 Appropriations: Senate bill No. 190.
 Insurance: Senate bills Nos. 344 and 444.
 Constitutional Amendments: Senate joint resolution No. 10.
 School Districts: House bill No. 754.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
 Austin, Texas, March 4, 1929.
 Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 628, A bill to be entitled "An Act to assist in the prevention of the theft of motor vehicles in Texas; requiring the owner of every motor vehicle to acquire certificate of title from the county tax collector, and requiring each such owner to acquire from the county tax collector an affix on vehicle, registration card, container and seal," etc.,

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
 Austin, Texas, March 5, 1929.
 Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 7, Proposing an amendment to Section 5 of Article 4 of the Constitution of the State of Texas, fixing the salary of the Governor, providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
 Austin, Texas, March 5, 1929.
 Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 627, "An Act authorizing the commissioners court in any county having a population of not less than 73,100 and not more than 73,300, as shown by the preceding Federal census,

to purchase not exceeding two automobiles for the use of the county tax assessor to be used by said assessor while actually engaged in the discharge of his official duties, and providing for reports of repairs thereon and maintenance to be made to the county auditor and limiting the amount to be expended for the purchase of said automobiles, and providing for the marking of said cars; and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
 Austin, Texas, March 4, 1929.
 Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 10, "An Act authorizing the establishment of junior colleges in independent school districts and cities that have assumed control of their schools in the State of Texas having taxable values of not less than twelve million (\$12,000,000) dollars and a high school enrollment of not less than four hundred (400) pupils in the high school; providing for the methods and manner of calling elections to determine the establishment of junior colleges; providing for the government and administration of such junior colleges and the location of same; providing for issuance of bonds for construction of buildings, equipment, etc., for sinking funds to retire bonds, to levy taxes of not greater than twenty (20) cents on the hundred (\$100) dollars valuation; providing for assessing and collecting of taxes for necessary amount to meet expenses of running colleges; defining a junior college; providing for granting of powers and duties to such trustees for the control, management and operation of such college; forbidding use of money from State available school fund for junior college purposes; providing for compensation for expense of members of the board of trustees; for the establishment of union junior college districts consisting of a union of independent districts or two or more contiguous common school districts, or a combination of one or more independent school districts with one or more common school districts of contiguous territory, of a county, or counties, having taxable values of not less than twelve million (\$12,000,000) dollars and a high school enrollment of not less than

five hundred (500) pupils in the high schools; providing for the methods and manner of calling elections to determine the establishment of such union junior college districts; providing for the administration and control of such colleges; providing for levy, assessment and collection of taxes for such districts, and validating all public junior colleges now established; declaring an emergency and an imperative public necessity and requiring the suspension of the reading of the bill on three several days.

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
Austin, Texas, March 4, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 664, "An Act amending Article 1646 of the Revised Civil Statutes of Texas, 1925, and providing that in counties of not less than 34,700 inhabitants and not more than 35,000 inhabitants, according to the 1920 Federal census, and having a tax valuation of not less than \$8,800,000 and not more than \$8,900,000, according to the approved tax rolls of 1928, the commissioners court may appoint a county auditor, and providing that said commissioners court shall have the power of removing said auditor so appointed; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

THIRTY-NINTH DAY.

(Thursday, March 7, 1929.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Minor, Speaker Pro Tem.

The roll was called, and the following members were present:

Acker.	Bounds.
Ackerman.	Bradley.
Adkins.	Brice.
Albritton.	Brooks.
Anderson.	Carpenter.
Baker.	Chastain.
Baldwin.	Coltrin.
Barnett.	Conway.
Bateman.	Cox of Navarro.
Beck.	Cox of Lamar.
Bond.	Cox of Limestone.

Davis.	Montgomery.
DeWolfe.	Moore.
Dunlap.	Mosely.
Duvall.	Mullally.
Enderby.	Murphy.
Ewing.	Negley.
Eickenroht.	Nicholson.
Finn.	Olsen.
Finlay.	O'Neill.
Forbes.	Palmer.
Fuchs.	Patterson.
Gates.	Pavlica.
Gilbert.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Graves of Erath.	Prendergast.
Hardy.	Purl.
Harding.	Quinn.
Harman.	Ray.
Harper.	Reader.
Harrison.	Reid.
Heaton.	Renfro.
Hefley.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Shelton.
Jenkins.	Sherrill.
Johnson	Shipman.
of Dimmit.	Simmons.
Johnson of Smith.	Sinks.
Johnson of Scurry.	Smith.
Jones.	Snelgrove.
Justiss.	Speck.
Kayton.	Stephens.
Keeton.	Stevenson.
Keller.	Storey.
Kemble.	Strong.
Kennedy.	Tarwater.
Kenyon.	Thompson.
Kincaid.	Thurmond.
King.	Tillotson.
Kinnear.	Turner.
Lee.	Van Zandt.
Lemens.	Veatch.
Long of Houston.	Waddell.
Long of Wichita.	Wallace.
Loy.	Walters.
Mankin.	Warwick.
Martin.	Webb.
Mauritz.	Westbrook.
Maynard.	White.
McCombs.	Wiggs.
McDonald.	Williams of Sabine.
McGill.	Williams of Travis.
McKean.	Woodall.
Mehl.	Woodruff.
Metcalfe.	Young.
Minor.	

Absent—Excused.

Avis.	Morse.
Gerron.	Williams
Land.	of Hardin.